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If we now pass on to the Lesghian peoples we shall learn that each province, each district, and even each village has its own customary laws, but the differences are only accidental. Everywhere the *adats* agree at least in one point—in their severity. Death or its equivalent for any sex crime is the general rule.

To avoid useless repetitions and to facilitate comparison we present the Daghestanian *adats* in form of a table (Table 20).

Homosexual rape is doubtless a rare crime among these mountaineers, but laws referring to these offenses are a great help in interpreting the sanctions against sexual transgressions. If homosexual rape is punished as severely as natural rape, we have indubitable evidence that sexual taboos do not exist exclusively to safeguard the integrity of the hymen and to prevent bastard births, as one might perhaps be inclined to think from what we have said about virginal integrity.[25] We suspect, however, that laws regarding such rare sexual perversity as homosexuality and bestiality have not arisen from any special need for such sanctions but rather introduced through Islamic influence.[26]

The table shows that throughout Daghestan (1) the *adats* expressly appoint the nearest male relatives to punish the culprits.

(2) Adultery, fornication, rape, homosexuality—all are capital crimes, punishable with death, but admit of degrees. The most abhorred crimes are incest and rape, followed by adultery, fornication, homosexuality, and finally bestiality. "Incest" must, naturally, be understood in the Lesghian sense. We must not forget that when these *adats* were in force, the Lesghians were endogamists and that at most brother-sister and parent-child marriages were forbidden.

(3) Another remarkable agreement in the *adats* of the various Lesghian peoples is the obligation of killing *both* partners or *none* at all. If only one offender is avenged, the avenger himself becomes a blood-enemy of the relatives of the lover he happens to kill.

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husband. In the official report of May 28, 1870 we read: "May 28, a native of Netsi [in Chechnia] of this district, a boy 13 years of age, Nika-Akhma Kurban-ogdy, having caught his mother in an adulterous union with a co-villager, Suleyman Mahomed-ogdy, stabbed the adulterer, who later died from the wounds received." Cf. "Iz gorskoj kriminalistiki," SSKG, IV (1870), p. 80.

[25] *Supra*, p. 126.

[26] Islamic law goes into the smallest details and rarest forms of sexual transgressions.

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TABLE 20

Lesghian Adats regarding

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Locality		Customary penalty for adultery and fornication						
		Death Penalty Possible		Conditions for the lawful killing of offenders				
Province	Naibate or District	Male Offender	Female	Lawful Avenger*	In flagranti	Must kill both offenders or none	Other Conditions	In only one partner is killed, avenger = murderer**
Avar	Tsatanykh Naibate	+	+	Husband, father, brother, or son	+	+		+
	Bakhlukh N.	+	+	Husband, father, brother, son	+	−		
	Koisubulun N.	+	+	Husband, father, son, grandson, nephew, uncle	+	−		+ −
	Khuneakh N.	+	+	Husband, father, son, grandson, nephew, uncle	+	−		+ −
Gunib	Tilitl-Hidatl N.	+	+	Husband, father, son	+	−		+ −
	Kuyada N.	+	+	Husband, brother, son, cousin	+	−		+ −
	Tleiserukh N.	+	+	Husband, father, brother	+	+		+ −
	Andalal N.	+	+	Husband, brother, son, father	+	+		+ −
Samur		+	+	Husband, father, brother, son	−	+		+
Dargwa	Usisha District	+	+	Husband or relative	+	+		+
	Mikakhi D.	+	+	Husband or relative	+	+		+
	Hyuraki D.	+	+	Husband or relative	+	+		+
	Mugn D.	+	+	Husband or relative	−	+		+
	Akusha D.	+	+	Husband or relative	+	+		+
	Tsudakhar D.	+	+	Husband or relative	+	+		+
	Balchar D.	+	+					
	Tsumkan	+	+					
Kurin		+	+	Husband, father, brother	+	+		+ −
Kaitago-Tabassaran	Mahal Karakaitag	+	+	Husband	+	+	+	+
	North Tabassaran	+	+	Husband			+	+
	Mahal Terekeme							
	Mahal Urdzhamul						+	

* The LAWFUL AVENGER is always a relative of the *female* offender, or in the case of rape, the person attacked.

** By IF ONLY ONE PARTNER IS KILLED, AVENGER = MURDERER we mean that

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Adultery, Fornication, and Rape

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Customary Penalty for Rape							Number of footnote	Sources (Adat Collections)
Natural Rape				Homosexual				
See supra, Table on abduction***	Offender may be killed	Banishment	Must pay a fine	May be killed	Banishment	Must pay fine		
+								ADOiZO, 472 f, §§ 24 f; Dirr, AGKB, 71.
+							1	ADOiZO, 455, §§ 17 f; AGKB, 70.
+							2	ADOiZO, 439, § 20; AGKB, 70.
+							2	ADOiZO, 439, § 20; AGKB, 70.
+							3	ADOiZO, 338 f, § 20; AGKB, 73.
+							4	ADOiZO, 914, § 54; 303 f, § 18, AGKB, 72 f.
+							5	ADOiZO, 391, § 19; AGKB, 72.
+							6	ADOiZO, 278, §§ 24 f; AGKB, 71.
								ADOiZO, 546 f, §§ 17—20; 530, § 15; AGKB, 74.
+				+		+	7	ADO, 16, 105.
	+	+	+	+	+	+	8	ADO, 16, 51 f.
							9	ADO, 16, 21, 91 f, 105.
				+		+	10	ADO, 16, 52, 65, 105.
	+		+	+			11	ADO, 16, 38, 105.
+	+		+	+		+	12	ADO, 16, 105, 117 f.
								ADO, 16, 65, 105; ADOiZO, 88, § 116; 121, § 82.
								ADO, 16, 65, 105; ADOiZO, 88, § 116; 121, § 82.
	+			+			13	AJuDO, 8 f.
							14	AJuDO, 43 f; ADOiZO, 575, §§ 10—13; AGKB, 73.
	+		+				15	AJuDO, 26.
							16	ADOiZO, 548, § 19; AGKB, 75.
	+						17	ADOiZO, 48.

if the husband, father, son, etc. of the woman kills only one of the offenders, he is regarded as a murderer and therefore incurs the same penalty.

*** *Supra*, p. 94, Table 12.